

SUPERIOR COURT OF ARIZONA
MARICOPA COUNTY

CR2012-117032-002 DT
CR2011-145395-001 DT

08/06/2012

JUDGE PRO TEM CAROLYN K.
PASSAMONTE

CLERK OF THE COURT
I. Huerta

Deputy

STATE OF ARIZONA

KALON METZ

v.

IVY LEE DAVIS JR. (002)

JOHN W MCBEE

JUDGE RAYES
MASTER CALENDAR UNIT

TRIAL CONTINUANCE PAST ORIGINAL LAST DAY

9:47 a.m. This is the time set for Final Trial Management Conference as to
CR2012-117032-002 and Non-Witness Violation hearing as to CR2011-145395-001.

Courtroom CCB 1304

State's Attorney:	Christopher Rapp
Defendant's Attorney:	Above named counsel
Defendant:	Present
Court Reporter:	Helene Paustian

A record of the proceeding is also made by audio and/or videotape.

LET THE RECORD REFLECT these cause numbers are being heard in conjunction with
co-defendant 001 in CR2012-117032.

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The Court has received and reviewed a Motion to Continue Trial filed by counsel for defendant 001.

Defense counsel for defendant 002 addresses the Court regarding his difficulty with a reluctant witness. Counsel informs the Court he has no objection to a continuance, however, notes the defendant would like to proceed to trial as soon as possible.

State's counsel does not object to a continuance.

Discussion is held regarding counsel's pending trial schedules.

Having considered the Motion to Continue filed by counsel for defendant 001, the Court finds:

1. The nonmoving party or parties: Does not object to a continuance
2. The Arraignment date was: No information provided
3. The Original last day was: No information provided
4. The existing date of the trial when the motion was filed: 08/14/2012
5. The number of continuances granted before this continuance was: No information provided
6. The motion was: In writing
7. The motion was filed at least 5 days before trial: Yes
8. If filed untimely, the motion sets forth with specificity the reasons for its untimeliness: No information provided

The Court finds a delay is indispensable to the interests of justice and that the following extraordinary circumstance exists warranting the continuance:

Defense counsel has additional witnesses and has not requested the defendant's cases be severed;

The defendant waived applicable time limits: Yes

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IT IS ORDERED granting the Motion to Continue.

IT IS FURTHER ORDERED vacating the current Trial date and resetting the Trial to 10/09/2012 at 8:00 a.m. before the Master Calendar Assignment Judge as to CR2012-117032-002.

IT IS FURTHER ORDERED vacating the current Non-Witness Violation hearing date and resetting the Non-Witness Violation hearing to 10/09/2012 at 8:00 a.m. before the Master Calendar Assignment Judge as to CR2011-145395-001.

IT IS FURTHER ORDERED setting a Final Trial Management Conference on 10/02/2012 at 8:30 a.m. before this division as to CR2012-117032-002.

IT IS FURTHER ORDERED setting a Non-Witness Violation hearing on 10/02/2012 at 8:30 a.m. before this division as to CR2011-145395-001.

IT IS FURTHER ORDERED setting a Status Conference on 09/05/2012 at 8:30 a.m. before this division as to CR2012-117032-002.

IT IS FURTHER ORDERED setting a Non-Witness Violation hearing on 09/05/2012 at 8:30 a.m. before this division as to CR2011-145395-001.

IT IS FURTHER ORDERED that all time be excluded from 08/14/2012 through 10/09/2012 (56 days). **NEW LAST DAY: 11/08/2012 as to CR2012-117032-002.**

IT IS FURTHER ORDERED affirming prior custody orders.

9:51 a.m. Matter concludes.

This case is eFiling eligible: <http://www.clerkofcourt.maricopa.gov/efiling/default.asp>. Attorneys are encouraged to review Supreme Court Administrative Order 2011-140 to determine their mandatory participation in eFiling through AZTurboCourt.